

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION

JESSIE MCIE
2211 Eastern Boulevard
Baltimore, Maryland 21220

Plaintiff

vs.

UNITED STATES OF AMERICA
United States Attorney General
The United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

and

UNITED STATES POSTAL SERVICE
44 Shipping Place
Dundalk, Maryland 21222

SERVE ON:
United States Postal Office
ATTN: Postmaster
900 East Fayette Street
Baltimore, Maryland 21233

and

UNITED STATES ATTORNEY
District of Maryland
36 South Charles Street
4th Floor
Baltimore, Maryland 21201

Defendants

* * * * *

COMPLAINT AND PRAYER FOR JURY TRIAL

Jessie Mcie, Plaintiff, by Brian Bennett, his attorney, sues the United States of America and the United States Postal Service, Defendants, pursuant to 28 U.S.C. Section 1346, et seq. and respectfully states as follows:

INTRODUCTION

1. This is a civil case brought pursuant to the Federal Tort Claims Act seeking

monetary damages against Defendants for committing acts or omissions of negligence against the Plaintiff.

JURISDICTION

2. At all times relevant hereto, Chanel Cherie Johnson, committed acts or omissions of negligence while acting within the scope of her employment as a mail carrier for the Defendants, the United States of America and the United States Postal Service, as a carrier, on or about July 7, 2021.

3. The Defendants, the United States of America and the United States Postal Service, are named Defendants in this action.

4. The court has jurisdiction under 28 U.S.C. Section 1346, et seq.

PARTIES

5. The Plaintiff, Jessie Mcie, is a resident of Baltimore County, Maryland.

6. Chanel Cherie Johnson, is a resident of the State of Maryland and was, at the time of the negligence described herein, employed by the Defendants, the United States Postal Service and the United States of America.

7. The Defendant, the United States Postal Service, is an agency of the government of the Defendant, the United States of America.

COUNT I

The Plaintiff, Jessie Mcie, realleges, reaffirms and incorporates by reference the hereinabove allegations of fact and negligence, etc. and sues the Defendants, the United States of America and the United States Postal Service, is an agency of the government of the Defendant, the United States of America, and states:

8. This action involves a collision between a motor vehicle owned and operated by the Plaintiff, Jessie Mcie, and a motor vehicle owned by the Defendants, the United States Postal Service and the United States of America, and operated by its agent and/or servant and/or employee with its permission, i.e., Chanel Cherie Johnson.

9. That collision occurred on Avondale Road, a public highway in Dundalk, Baltimore

County, Maryland.

10. On or about July 7, 2021, the Plaintiff, Jessie Mcie, was carefully and prudently operating his motor vehicle southbound on Avondale Road, at its intersection with Cedar Avenue in Dundalk, Baltimore County, Maryland, when a postal service delivery truck, operated by Chanel Cherie Johnson, the agent and/or servant and/or employee of the Defendants, the United States Postal Service and the United States of America, the owners of that motor vehicle, failed to stop for a stop sign on Cedar Avenue and struck the Plaintiff's motor vehicle, thereby causing a collision.

11. The owners of the motor vehicle being operated by Chanel Cherie Johnson, that struck the Plaintiff was the Defendants, the United States Postal Service and the United States of America, at all times relevant hereto.

12. At all times relevant hereto, Chanel Cherie Johnson, was acting in the course of her agency and/or employment with the Defendants, the United States Postal Service and the United States of America, at all times relevant hereto.

13. The owners of the motor vehicle that struck the Plaintiff, at all times relevant hereto was the Defendants, the United States Postal Service and the United States of America, and which had given their permission to Chanel Cherie Johnson, to operate their motor vehicle, for all purposes.

14. The collision was caused by the recklessness, carelessness and negligence of Chanel Cherie Johnson.

15. Chanel Cherie Johnson was negligent in that she:

- a. Failed to maintain a proper control over the motor vehicle;
- b. Failed to maintain a proper lookout for oncoming traffic;
- c. Failed to yield the right-of-way;
- d. Failed to reduce speed to avoid a collision;
- e. Operated the motor vehicle at a rate of speed excessive for the conditions then and there existing;

f. And in other respects operated, managed and controlled her motor vehicle in a careless, dangerous and negligent manner under the circumstances then and there existing.

16. As a direct and proximate result of the negligence and carelessness of the Defendants, including, Chanel Cherie Johnson, the Plaintiff, Jessie Mcie:

a. Suffered serious, painful and possibly permanent bodily injuries, great physical pain and mental anguish, severe and substantial emotional distress, and loss of the capacity for the enjoyment of life;

b. Was, is and will be required to undergo medical treatment and to incur medical costs and expenses in order to alleviate his injuries, pain and suffering;

c. Was and is precluded from engaging in his normal activities and pursuits;

d. Suffered damage to his property, including his motor vehicle;

e. Suffered the loss of earnings;

f. And otherwise was hurt, injured and caused to sustain losses.

17. All of the Plaintiff's losses were, are and will be due solely and by reason of the recklessness, carelessness and negligence of the Defendants, including Chanel Cherie Johnson.

18. None of the Plaintiff's losses were due to any negligence or want of due care on his part contributing to them.

WHEREFORE, the Plaintiff, Jessie Mcie, sues the Defendants, the United States of America and the United States Postal Service, and demands Five Hundred Thousand Dollars (\$500,000.00) damages.



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Attorney for Plaintiff

DEMAND FOR JURY TRIAL

The Plaintiffs demand a jury trial in this action.



Brian Bennett